

IN THE UNITED STATES DISTRICT COURT
 FOR THE WESTERN DISTRICT OF TEXAS
 WACO DIVISION



UNITED STATES OF AMERICA,	*	CRIMINAL NO. W-93-CR-046
	*	
Plaintiff,	*	<u>S U P E R S E D I N G</u>
	*	<u>I N D I C T M E N T</u>
V.	*	
KATHRYN SCHROEDER (1)	*	[18 U.S.C. 1117--Conspiracy
BRAD EUGENE BRANCH (2)	*	to Murder Federal Officers;
KEVIN A. WHITECLIFF (3)	*	18 U.S.C. 1114 and 1111--
CLIVE J. DOYLE (4)	*	Murder of Federal Offi-
JAIME CASTILLO (5)	*	cers; 18 U.S.C. 924(c)(1)--
LIVINGSTONE FAGAN (6)	*	Possession of a Firearm
PAUL GORDON FATTA (7)	*	During the Commission of
WOODROW KENDRICK, also known as BOB KENDRICK, (8)	*	a Crime of Violence; 26
NORMAN WASHINGTON ALLISON, also known as DELROY NASH, (9)	*	U.S.C. 5861(d)--Possession
GRAEME LEONARD CRADDOCK, (10)	*	of an Unregistered Destruc-
RENOS AVRAAM, (11) and	*	tive Device; 18 U.S.C.
RUTH OTTMAN RIDDLE, (12)	*	371--Conspiracy to Possess
	*	an Unregistered Destructive
Defendants.	*	Device; 18 U.S.C. 371--
	*	Conspiracy to Unlawfully
	*	Manufacture and Possess
	*	Machineguns; 18 U.S.C.
	*	922(o) Unlawful Possession
	*	of Machine Guns; 18 U.S.C.
	*	2--Aiding and Abetting]

THE GRAND JURY CHARGES:

COUNT ONE
 [18 U.S.C. § 1117]

1. From on or before February, 1992, and continuing thereafter up to and including April 19, 1993, in the Western District of Texas, Defendants,

KATHRYN SCHROEDER
 BRAD EUGENE BRANCH
 KEVIN A. WHITECLIFF
 CLIVE J. DOYLE
 JAIME CASTILLO
 LIVINGSTONE FAGAN
 PAUL GORDON FATTA
 WOODROW KENDRICK,
 aka BOB KENDRICK
 NORMAN WASHINGTON ALLISON,

aka DELROY NASH
GRAEME LEONARD CRADDOCK
RENOS AVRAAM,
and
RUTH OTTMAN RIDDLE,

did knowingly, willfully and unlawfully combine, conspire, confederate, and agree together and with each other, and with persons known and unknown to the Grand Jury, to kill, with malice aforethought during the performance and on account of the performance of their duties, officers and employees of the Bureau of Alcohol, Tobacco and Firearms (hereinafter "ATF"), United States Department of the Treasury, including but not limited to, ATF Special Agents Steven D. Willis, Robert Williams, Conway C. LeBleu, and Todd W. McKeehan, and Agents of the Federal Bureau of Investigation (hereinafter "FBI"), United States Department of Justice, all agencies of the United States as specified in Title 18, United States Code, Section 1114, all in violation of Title 18, United States Code, Section 1117.

MEMBERS OF THE CONSPIRACY

2. At all times pertinent to this indictment, Vernon K. Howell, also known as David Koresh, was a member of and the self-proclaimed prophet for a group of individuals who lived at a location known as the Mt. Carmel Compound, located near Waco, Texas.

3. At all times pertinent to this indictment, Steven Emil Schneider and Douglas Wayne Martin were followers of and advisors to Vernon Howell, also known as David Koresh.

4. At all times pertinent to this indictment Defendants KATHRYN SCHROEDER, BRAD EUGENE BRANCH, KEVIN A. WHITECLIFF, CLIVE J. DOYLE, JAIME CASTILLO, LIVINGSTONE FAGAN, PAUL GORDON FATTA, WOODROW KENDRICK, also known as BOB KENDRICK, NORMAN WASHINGTON ALLISON, also known as DELROY NASH, GRAEME LEONARD CRADDOCK, RENOS AVRAAM, and RUTH OTTMAN RIDDLE, and others were followers of Vernon K. Howell, also known as David Koresh.

SCOPE AND NATURE OF THE CONSPIRACY

5. It was a part of the conspiracy that Vernon K. Howell, also known as David Koresh, would and did advocate and encourage an armed confrontation, which he described as a "war," between his followers and representatives of the United States government. Vernon K. Howell, also known as David Koresh, originally predicted that this "war" would occur in the Nation of Israel and later changed the location to Mt. Carmel Compound, near Waco, Texas.

6. It was a part of the conspiracy that in order to prepare for the "war" with the United States, Vernon K. Howell, also known as David Koresh, would and did establish a unit among his followers which he called the "Mighty Men". Defendants, BRAD EUGENE BRANCH, KEVIN A. WHITECLIFF, CLIVE J. DOYLE, JAIME CASTILLO, LIVINGSTONE FAGAN, PAUL GORDON FATTA, WOODROW KENDRICK, also known as BOB KENDRICK, NORMAN WASHINGTON ALLISON, also known as DELROY NASH, GRAEME LEONARD CRADDOCK, RENOS AVRAAM, and other followers were members of the "Mighty Men."

7. It was a part of the conspiracy that in order to arm his followers for the "war" with the United States, Vernon K. Howell,

also known as David Koresh, would and did direct that a business location called "The Mag Bag" be established near the Mt. Carmel Compound for the purpose, among others, of receiving shipments of paramilitary supplies. The supplies purchased and received at The Mag Bag included: firearms parts (including parts for fully automatic AK-47 and M-16 rifles); thirty (30) round magazines and one hundred (100) round magazines for M-16 and AK-47 rifles; pouches to carry large ammunition magazines; substantial quantities of ammunition of various sizes (including .50 caliber armor piercing ammunition); grenade launcher parts, flare launchers, K-bar fighting knives, night vision equipment, hand grenade hulls, kevlar helmets, bullet proof vests and other similar equipment.

8. It was a part of the conspiracy that Defendants BRAD EUGENE BRANCH and PAUL GORDON FATTA would and did make the necessary arrangements to obtain The Mag Bag location, which had a mailing address of Route 7, Box 555, Waco, Texas. It was further a part of the conspiracy that Defendant PAUL GORDON FATTA would and did acquire a Texas Sales and Use Tax Permit in the name of "The Mag Bag." It was a part of the conspiracy that Defendants WOODROW KENDRICK, also known as BOB KENDRICK, and NORMAN ALLISON, also known as DELROY NASH, would and did occupy the premises for the purpose (among others) of receiving paramilitary supplies.

9. It was a part of the conspiracy that Defendants BRAD EUGENE BRANCH, JAIME CASTILLO, PAUL GORDON FATTA, and WOODROW KENDRICK, also known as BOB KENDRICK, and others would and did acquire and assist in the acquisition of weapons to be used in the

"war" with the United States, including .50 caliber semi-automatic rifles.

10. It was a part of the conspiracy that Defendant PAUL GORDON FATTA and others, would and did assist in converting legally purchased semi-automatic rifles to fully automatic rifles. It was a part of the conspiracy that inert hand grenade shells would be converted to live hand grenades for the purpose of waging "war" against the United States government.

11. It was a part of the conspiracy that on February 28, 1993, after becoming aware of a planned search of the premises of the Mt. Carmel Compound, by agents of the ATF, Vernon K. Howell, also known as David Koresh, would and did instruct his followers to prepare for the arrival of the federal agents. It was a part of the conspiracy that KATHRYN SCHROEDER, BRAD EUGENE BRANCH, KEVIN A. WHITECLIFF, CLIVE J. DOYLE, JAIME CASTILLO, LIVINGSTONE FAGAN, GRAEME LEONARD CRADDOCK, RENOS AVRAAM, RUTH OTTMAN RIDDLE, and others would and did change into camouflage/combat clothing and equipment, gather their pistols and rifles, load magazines, distribute hand grenades, assume ambush positions and engage in other conduct designed to kill and attempt to kill and aid and abet the killing of Agents of the ATF upon their arrival at the Mt. Carmel Compound.

12. It was a part of the conspiracy that on February 28, 1993, after the ambush of ATF agents at the Mt. Carmel Compound by their coconspirator, Defendants NORMAN ALLISON, also known as DELROY NASH, and WOODROW KENDRICK, also known as BOB KENDRICK,

and another person would arm themselves at The Mag Bag and endeavor to forcibly enter the Mt. Carmel Compound to assist their coconspirators.

13. It was a part of the conspiracy that after the initial ambush of the ATF, Defendants KATHRYN SCHROEDER, BRAD EUGENE BRANCH, KEVIN A. WHITECLIFF, CLIVE J. DOYLE, JAIME CASTILLO, LIVINGSTONE FAGAN, GRAEME LEONARD CRADDOCK, RENOS AVRAAM, RUTH OTTMAN RIDDLE, and others would and did forcibly resist and oppose agents of the FBI who were authorized to execute search warrants under the authority of the United States from February 28, 1993, until each of them emerged from the Mt. Carmel Compound.

14. It was a part of the conspiracy that on April 18, 1993, Vernon K. Howell, also known as David Koresh, and Steven Schneider would and did finalize a plan to burn the Mt. Carmel Compound in the event an effort was made to finally end the siege by the FBI. This plan was communicated to other residents of the compound.

15. It was part of the conspiracy that on April 19, 1993, some of the conspirators would and did fire upon tanks and other vehicles manned by FBI agents in an attempt to drive them back from the Mt. Carmel Compound.

16. It was a part of the conspiracy that on April 19, 1993 Vernon K. Howell, also known as David Koresh, would give instructions to spread flammable fuel within the Mt. Carmel Compound upon learning that the FBI was to introduce tear gas into the Compound to end the Siege. It was a part of the conspiracy that an unidentified coconspirator would and did give instructions

at about noon on April 19, 1993, to start the fires within Mt. Carmel.

OVERT ACTS

In furtherance of such agreement and conspiracy and to effect the objects thereof, the Defendants and their conspirators, known and unknown, committed the following overt acts, among others:

1. On August 4, 1992, in the Western District of Texas, Vernon K. Howell, also known as David Koresh, executed documentation covering the purchase of 88 lower receivers for the AR-15 rifle, 16 handguns, and 10 rifles from Hewitt Handguns.
2. On February 28, 1993, in the Western District of Texas, Special Agent Steven D. Willis of the Bureau of Alcohol, Tobacco, and Firearms was shot and killed by conspirators while he was attempting to execute search and arrest warrants.
3. On February 28, 1993, in the Western District of Texas, Special Agent Robert Williams of the Bureau of Alcohol, Tobacco, and Firearms was shot and killed by conspirators while he was attempting to execute search and arrest warrants.
4. On February 28, 1993, in the Western District of Texas, Special Agent Conway C. LeBleu of the Bureau of Alcohol, Tobacco, and Firearms was shot and killed by conspirators while he was attempting to execute search and arrest warrants.
5. On February 28, 1993, in the Western District of Texas, Special Agent Todd W. McKeehan of the Bureau of Alcohol, Tobacco, and Firearms was shot and killed by conspirators while he was attempting to execute search and arrest warrants.

6. On April 19, 1993, in the Western District of Texas, Agents of the Federal Bureau of Investigation were fired upon by conspirators as they endeavored to serve arrest and search warrants.

All in violation of Title 18, United States Code, Section 1117.

COUNT TWO
[18 U.S.C. §§ 1114
1111(a), and 2]

On or about February 28, 1993, in the Western District of Texas, Defendants,

KATHRYN SCHROEDER
BRAD EUGENE BRANCH
KEVIN A. WHITECLIFF
CLIVE J. DOYLE
JAIME CASTILLO
LIVINGSTONE FAGAN
PAUL GORDON FATTA
WOODROW KENDRICK,
aka BOB KENDRICK
NORMAN WASHINGTON ALLISON,
aka DELROY NASH
GRAEME LEONARD CRADDOCK
RENOS AVRAAM,
and
RUTH OTTMAN RIDDLE,

by aiding and abetting unknown principals and each other did knowingly, willfully, and unlawfully kill, with malice aforethought, ATF Special Agents Steven D. Willis, Robert Williams, Conway C. LeBleu, and Todd W. McKeehan, Special Agents of the Bureau of Alcohol, Tobacco and Firearms, while said agents were engaged in the performance of their official duties, by shooting the said Agents with a firearm, in violation of Title 18, United States Code, Sections 1114, 1111(a), and Title 18, United States

Code, Section 2.

COUNT THREE
[18 U.S.C. § 924(c)(1)]

On or about February 28, 1993, in the Western District of Texas, Defendants,

KATHRYN SCHROEDER
BRAD EUGENE BRANCH
KEVIN A. WHITECLIFF
JAIME CASTILLO
CLIVE J. DOYLE
LIVINGSTONE FAGAN
PAUL GORDON FATTA
GRAEME LEONARD CRADDOCK
RENOS AVRAAM
and
RUTH OTTMAN RIDDLE

did knowingly use and carry a firearm during and in relation to the commission of a crime of violence which may be prosecuted in a court of the United States, to-wit: Conspiracy to Murder Officers and Employees of the United States, in violation of Title 18, United States Code, Sections 1117 and 1114, all in violation of Title 18, United States Code, Section 924(c)(1).

COUNT FOUR
[18 U.S.C. §§1114]
1111(a) and 2]

On or about February 28, 1993, in the Western District of Texas, Defendants,

NORMAN WASHINGTON ALLISON, aka
DELROY NASH,
and
WOODROW KENDRICK, aka
BOB KENDRICK,

by aiding and abetting Michael Schroeder, deceased, named as a principal, but not as a defendant herein, did knowingly, willfully,

and unlawfully attempt to kill, with malice aforethought, Charles Meyer, a Special Agent of the Bureau of Alcohol, Tobacco and Firearms, while said agent was engaged in the performance of his official duties, by shooting at Special Agent Charles Meyer with a firearm, in violation of Title 18, United States Code, Sections 1114, 1111(a), and Title 18, United States Code, Section 2.

COUNT FIVE
[18 U.S.C. § 924(c)(1)]

On or about February 28, 1993, in the Western District of Texas, Defendant,

WOODROW KENDRICK, aka
BOB KENDRICK,

did knowingly, willfully and unlawfully use and carry one or more of the following firearms, to-wit:

- (1) an RG revolver, model RG 31, .32 caliber, bearing serial number 0194405;
- (2) a Beretta pistol, model 92FS 9 mm, bearing serial number BER116248Z,

during and in relation to the commission of a violent crime which may be prosecuted in a court of the United States, namely, attempting to kill a Federal officer, contrary to Title 18, United States Code, Section 1114 and Section 2, and all in violation of Title 18, United States Code, Section 924(c)(1).

COUNT SIX
[18 U.S.C. § 924(c)(1)]

On or about February 28, 1993, in the Western District of Texas, Defendant,

NORMAN WASHINGTON ALLISON, aka
DELROY NASH,

did knowingly, willfully and unlawfully use and carry the following firearm, to-wit: a Jennings .22 caliber pistol, bearing serial number 628835, during and in relation to the commission of a violent crime which may be prosecuted in a court of the United States, namely, attempting to kill a Federal officer, contrary to Title 18, United States Code, Section 1114 and Section 2, and all in violation of Title 18, United States Code, Section 924(c)(1).

COUNT SEVEN
[26 U.S.C. § 5861(d)]

On or about April 19, 1993, in the Western District of Texas,
Defendant,

GRAEME LEONARD CRADDOCK

did knowingly and unlawfully possess a firearm, as defined by Section 5845(a), Title 26, United States Code, namely an explosive grenade, being a firearm defined as a destructive device, which firearm was not registered to him in the National Firearm Registration and Transfer Record, in violation of Title 26, United States Code, Sections 5861(d) and 5871.

COUNT EIGHT
[26 U.S.C. § 5861(d)
and 18 U.S.C. § 371]

From on or about February 28, 1993, and continuing thereafter until on or about April 19, 1993, in the Western District of Texas,
Defendant,

GRAEME LEONARD CRADDOCK

did knowingly and willfully, combine, conspire, confederate and agree with other persons both known and unknown to the Grand Jury,

to commit an offense against the United States, namely, to unlawfully possess a firearm as defined by Section 5845(a), Title 26, United States Code, to wit: a grenade, without having the said firearm registered to him in the National Firearms Registration and Transfer Record. In furtherance of the said conspiracy and to effect the objects thereof, the following overt act were committed by the Defendant of the Western District of Texas:

1. On April 19, 1993, co-conspirator Vernon Howell, also known as David Koresh, gave GRAEME LEONARD CRADDOCK a grenade;

contrary to Title 26, United States Code, Section 5861(d) and in violation of Title 18, United States Code, Section 371.

COUNT NINE
[18 U.S.C. § 371
(18 U.S.C. § 922(o))]]

On or about February 1992, and continuing thereafter until on or about February 1993, in the Western District of Texas, Defendant,

PAUL GORDON FATTA

did intentionally, knowingly and willfully combine, conspire, confederate and agree with other persons to the Grand Jury both known and unknown to commit an offense against the United States, namely, to unlawfully manufacture and possess machineguns, without having the said firearms registered to him in the National Firearms Registration and Transfer Record. In furtherance of the said conspiracy and to effect the objects thereof, the following overt acts were committed by the defendants in the Western District of

Texas:

1. On March 21, 1992, PAUL GORDON FATTA purchased a FEG, Model SA85M rifle, 7.62 caliber, Serial No. SL02791;

2. On January 16, 1993, PAUL GORDON FATTA purchased a H&K, SP89, pistol, 9 mm, Serial No. 2122147;

contrary to Title 18, United States Code, Section 922(o), and in violation of Title 18, United States Code, Section 371.

COUNT TEN
[18 U.S.C. §§ 2 and 922(o)]

Beginning about February 1992 and continuing thereafter until about February 1993, in the Western District of Texas, Defendant,

PAUL GORDON FATTA

intentionally and knowingly did aid and abet Vernon Howell, also known as David Koresh, in the unlawful possession of machineguns, contrary to Title 18, United States Code, Section 922(o), and in violation of Title 18, United States Code, Section 2.

A TRUE BILL:

R. D. Pattie

FOREPERSON

JAMES H. DeATLEY
ACTING UNITED STATES ATTORNEY

By: W. Ray Jahn
W. Ray Jahn
Assistant U. S. Attorney